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7 *Attorneys for Plaintiff,*  
8 *The Bank of New York Mellon*

9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**

11 THE BANK OF NEW YORK MELLON, F/K/A  
12 BANK OF NEW YORK TRUST COMPANY,  
13 NATIONAL ASSOCIATION, AS SUCCESSOR  
14 IN INTEREST TO JPMORGAN CHASE  
BANK, NATIONAL ASSOCIATION, AS  
15 TRUSTEE FOR THE MLMI SURF TRUST  
SERIES 2005-BC4,

16 Plaintiff,

17 vs.

18 RIVERWALK HOMEOWNERS  
ASSOCIATION; JERRY GUTZMER; DOE  
19 INDIVIDUALS I-X, inclusive, and ROE  
CORPORATIONS I-X, inclusive,

20 Defendants.

Case No.: 2:15-cv-01178-RFB-NJK

**STIPULATION AND ORDER TO EXTEND  
DEADLINE FOR THE BANK OF NEW  
YORK MELLON TO FILE RESPONSE TO  
JERRY GUTZMER'S MOTION TO  
DISMISS**

21 IT IS HEREBY STIPULATED between Plaintiff The Bank of New York Mellon, f/k/a Bank  
22 of New York Trust Company, National Association, as successor in interest to JPMorgan Chase  
23 Bank, National Association, as Trustee for the MLMI SURF Trust Series 2005-BC\$ C4 (**BNY**  
24 **Mellon**), by and through its attorney of record, Christine M. Parvan, Esq. of the law firm Akerman,  
25 LLP, and Defendant Jerry Gutzmer, by and through his attorney of record, Luis A. Ayon, Esq., of  
26 the law firm Maier Gutierrez Ayon, to extend the deadline for BNY Mellon to respond to Defendant  
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1 Jerry Gutzmer ("Defendant") Motion to Dismiss [Dkt. 11] to **August 10, 2015**. Accordingly,  
2 Defendant's reply will be due **August 20, 2015**.

3 An extension is necessary to allow BNY Mellon sufficient time to review the file and  
4 appropriately respond to the complaint. Gutzmer has no objection the extension.

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28 {35239177;1}

This is the parties' first request for an extension and is not intended to cause any delay or prejudice to any party.

DATED: July 31, 2015

<b>MAIER GUTIERREZ AYON</b>	<b>AKERMAN LLP</b>
<u>/s/ Luis A. Ayon, Esq.</u>	<u>/s/ Christine M. Parvan, Esq.</u>
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<i>Attorneys for Defendant, Jerry Gutzmer</i>	<i>Attorneys for Plaintiff</i>

### ORDER

IT IS SO ORDERED.

Dated this 3<sup>rd</sup> day of August, 2015.

Submitted by:

**AKERMAN LLP**

/s/ Christine M. Parvan, Esq.

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RICHARD F. BOULWARE, II  
United States District Judge